



## NOISE WAIVER CERTIFICATE

**ISSUED TO:** DGS Construction, LLC/David Zaka  
*Owner/Operator*

**Valid From:** February 24, 2020

**Valid To:** March 24, 2020

**Type of Waiver:** Temporary

**Authorizing:** After-hours construction related to tower crane erection and structural concrete work for 55 W Gude Drive, Rockville. The extended work is required due to the tower crane erection and the volume of concrete required for several large continuous pours. This will help minimize traffic congestion and pedestrian safety concerns, and shall be performed under the following conditions:

1. Waiver applies to continuous concrete pours over 500 cy.
2. All reasonable efforts should be made to perform the noisiest activities as early in the evening as possible.
3. DEP recommends that all trucks and equipment utilized for after-hours construction activities be outfitted with white noise back-up alarms.
4. Machinery shall be equipped with well-maintained and effective mufflers, and moving parts shall be well lubricated to avoid unnecessary noise from squeaking parts. Machinery access doors and hatches should remain closed when the units are in operation and all machinery should be operated at the minimum level necessary to get the job done. Minimize banging, clattering, buzzing and other annoying types of noises.
5. Hauling trucks and equipment shall be operated at the minimum power level necessary to complete the task in a safe manner.
6. Slamming of tailgates and concrete chutes is prohibited.
7. Noise mitigation barriers should be erected around loud pieces of stationary machinery (e.g., generators, concrete pumps, etc.).
8. All onsite staff, including delivery and dump truck drivers, should be notified of noise mitigation procedures prior to work.
9. The unnecessary backing of machinery and trucks with traditional tonal backup alarms must be avoided, and the site shall be configured to minimize backing of trucks delivering and removing materials. DEP recommends OSHA approved white noise motion alarms.
10. Where possible, the local power grid should be used to reduce the use of internal combustion powered machinery.
11. Prolonged idling of machinery and vehicles must be avoided. If machinery or vehicles are not utilized for long periods, they should be shut off to reduce idling noise.
12. Regular communications must be provided to nearby residential buildings, so they are aware of the work schedule and expected noise related to construction activities.
13. Noise levels should be monitored at regular intervals at sensitive nearby receptors. The decibel levels and locations of the monitoring sites should be kept in a log on site, which shall be available for inspection and review upon request.
14. A log must be maintained on site containing detailed information concerning any complaints received regarding noise from this construction project.

DEP may suspend or revoke this approval for any violation of the terms and conditions, and may make modifications to the terms and conditions based on the results of noise monitoring or the noise impact of certain activities.

ECCD Case 20192598, First 30-Day Extension

**This certificate must be available at the work site.**

**Location of Work:** 55 W Gude Drive

**Town:** Rockville

**Zip:** 20850

**Approved By:** STAN EDWARDS  
Director, Department of Environmental Protection

**Date:** February 23, 2020

Cc: Bridget Newton, Rockville City Mayor  
Victor Brito, Rockville City Police Chief  
Ken Hartman, BCC Regional Services Center  
Derrick Harrigan, BCC Regional Services Center  
MC Police, 1st District, Rockville Station  
Stan Edwards, MC DEP/ECCD  
Steve Martin, MC DEP/ECCD

INFORMATION CONCERNING THIS CERTIFICATE CAN BE OBTAINED FROM  
MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
255 ROCKVILLE PIKE, SUITE 120, ROCKVILLE, MARYLAND 20850  
(240) 777-7746

<https://www.montgomerycountymd.gov/DEP/contact/noise-documents.html#wavers>